DATA MANAGEMENT PLAN

Assessment of Existing Data

The proposers have reviewed a range of existing datasets including those in the UK Data Archive (which does have dated surveys of UK legal professionals but nothing in transitional contexts), the American Bar Association, and the International Council on Human Rights Policy. This review has found that no existing data sources contain material that can be reused for this project. In addition, although the authors have previously conducted some interviews with legal professionals which may overlap with aspects of this project (as detailed elsewhere in the application), the data collected in these previous projects (e.g. on transitional justice from below, political prisoners, amnesties) cannot be used for the proposed research as those interviewees did not give informed consent for the data they provided to be used in other research projects. As a result, this project needs to collect new data that in contrast to existing datasets is (1) focused specifically on the role of lawyers as transitional actors, (2) able to address the theoretical issues outlined in the case for support, (3) relevant to the case study jurisdictions, and (4) timely and up-to-date for each jurisdiction.

Information on New Data

As detailed in the Case for the Support, the data collected in this research project will be qualitative and will be drawn from (1) an extensive literature review that includes a range of primary legal sources (e.g. international standards, domestic legislation, case law), scholarly literature and other secondary sources; (2) semi-structured interviews with at least 120 key stakeholders; and (3) field notes produced by the investigators during the fieldwork. The data collection process will begin with the literature review. This will be conducted by the investigators and the research assistant, who will focus on reviewing the theoretical and thematic literature. They will be supported by the local researchers, who will be responsible for providing the research team with significant local primary and secondary materials. By including the local researchers in this initial literature review stage, the research team will seek to ensure the relevance of the data collection to the local contexts. All the documents gathered in the literature review stage will be recorded in annotated bibliographies using bibliographic software and, where possible, electronic versions of literature sources will be compiled in a shared ‘virtual library’ amongst the team. This library and the bibliographies will be updated throughout the life of the project.

This literature review stage will inform the preparation of case study specific background papers, bibliographies and the research instruments. These documents will all be made available on the project website and offered to the Economic and Social Data Service (ESDS) in Rich Text Format (.rtf) versions.

The second stage of data collection will be the fieldwork during which semi-structured interviews will take place with key stakeholders including lawyers, judges, academics and civil society activists. Two investigators will conduct each interview. This fieldwork will lead to the creation of

(1) digital interview recordings (where interviewees agree to being recorded), (2) interview transcripts in Rich Text Format (.rtf), and (3) field notes in Rich Text Format (.rtf) which will be drafted at the end of each day of fieldwork by both investigators. As specified in the UK Data Archive Managing and Sharing Data Guide, the investigators will use a consent form which will enable interviewees to consent (or not) both to the interview and\or the data being shared with other researchers via the ESDS.

The qualitative data generated during the fieldwork will be classified, coded and analysed using NVivo software. The coding will be developed using the text of the interview transcriptions, the project research themes and the data collected during the literature review stage. A detailed coding guide will be developed by the research team and will be made available in Rich Text Format (.rtf) to ESDS.

As part of the project dissemination, new data will also be generated by the creation of podcasts of the presentations at the international conference hosted in Belfast. These podcasts will be made available on the project website and will be shared with ESDS.

The data storage will require all digital interview recordings to be backed up each day on the research team’s laptop and external hard drive. In addition, following the fieldwork, the data will be stored on the research team’s office computers and in the project folders on the Queen’s University server. Each of these hard drives, computers and the server folders will be protected by restricted password access, only accessible to the team. In addition, where the interviewees required anonymity, the relevant data sources will be fully anonymised through the use of pseudonyms, and the data will be encrypted.

Finally, in terms of data documentation, the research team will create tables in Rich Text Format (.rtf) to document metadata relating to each interview recording and transcript. This metadata will include the investigators who conducted the interview, the time, date and place of the interview, the duration of the interview, and the nature of consent provided. Where the interviewees requested anonymity, the metadata will be fully anonymised. This metadata will be made available to ESDS.

Quality Assurance of Data

To ensure the quality of the data collection process, in preparing the fieldwork, local researchers will be involved in developing the literature review, the research instrument and the list of interviewees. This will supplement the investigators’ research and enhance the relevance of the project to each case study jurisdiction. In addition, the use of carefully designed research instruments tailored for each jurisdiction will help to ensure the consistency of the data collection.

As detailed in the case for support, the interviewees will be identified using a ‘purposeful sampling’ methodology, which seeks to ensure that rich and highly relevant data is collected. Two investigators will conduct each interview and write the field notes in order to ensure greater reliability and validity. Furthermore, where the interviewees permit it, each interview will be digitally recorded. If this permission is withheld, one investigator will take notes during the interview to ensure the reliability of the transcript. Finally, as noted above, during the fieldwork, the data collection methods will be documented by the investigators.

The data entry stage of the research process will entail the transcription and coding of the interviews. The transcription will be conducted by a professional transcription service that has been used previously by the research team. This service guarantees secure transmitting of the digital recordings and the confidentiality of the data and produces the transcriptions in a consistent template that can be uploaded directly to NVivo. The coding of the transcripts and other relevant project materials will be conducted primarily by the research assistant. However, a sample of the transcripts will be blind coded by the investigators during the early stages of the project. This will be used to develop a detailed coding book that draws on the research themes together with the data contained in the transcripts. This coding book will be used by the research assistant to ensure reliability during the coding of the remaining transcripts, and the reliability will be checked further by periodic blind coding by the investigators. The interview transcripts will also be classified within NVivo using particular attributes of the interview, such as the case study in which it took place and the profession of the interviewee. Once the data has been coded, it will be analysed, and discrepancies between interviewee accounts of historical events will be triangulated against other interviews and secondary sources.

Back-up and Security of Data

As noted above, during the fieldwork all digital interview recordings will be backed up daily on multiple hard drives. In addition, following completion of the each stage of fieldwork, the data collected together with the other project data and metadata will be stored on the research team’s office computers and in the project folders on the Queen’s University server. These files in each of these locations will be regularly synchronised. Each of these hard drives, computers and the server folders will be protected by restricted password access and will only be accessible to the project team. In addition, where the interviewees required anonymity, the relevant data sources will be fully anonymised through the use of pseudonyms, and the data will be encrypted using TrueCrypt software. All data will be stored in accordance with the Queen’s University Information Handling Policy and the requirements of the Data Protection Act 1998. Where the project team is working to develop project documents, such as the research instruments and the coding book, or to produce project outputs, changes will be tracked using track changes in Word, and backups will be made each day with older versions stored in archive folders on the Queen’s University server. A similar back up process will be used for NVivo files.

Expected Difficulties in Data Sharing

In researching the role of lawyers in conflicted or transitional contexts, a number of issues may arise regarding consent to the sharing of interview data through ESDS. For example, political instability and related security risks may exist in some contexts. In addition, previous experience indicates that interviews with lawyers, often through the medium of cases, touch upon sensitive matters including in camera discussions with judges, issues which impinge on lawyer-client confidentiality and/or descriptions of legal/judicial personalities. Often such interviewees request ‘off the record’ status. In addition, where cases are ongoing, lawyers or civil society activists may be reluctant to share details of ongoing legal strategies. As detailed in the Ethical Information section, the project team has developed strategies for overcoming these difficulties. Firstly, the team will discuss risks of providing data with interviewees when seeking their informed consent.

Secondly, the investigators will offer all interviewees the possibility of going ‘off the record’ at any stage of the interview. Where this occurs, the digital interview will be paused and the relevant material will only be recorded in the field notes and will be encrypted when stored, and the ‘off the record’ material will not be cited. In addition, where the interviewee consents to the data from their interview being shared with ESDS, the ‘off the record’ material will be redacted from the field notes prior to sharing. Finally, where the interviewees request confidentiality as a condition of the interview, the investigators will explore the possibility of anonymised data sharing. If the interviewee’s consent is forthcoming, data will be fully anonymised and pseudonyms used. However, in many instances the subject matter of the interviews might identify the interviewee even where the data is anonymised; interviewees would most likely decline consent to data sharing and the research team would of course withhold data relating to such an interview from being shared.

Copyright/Intellectual Property Rights

Under the Copyright, Designs and Patents Act 1988, copyright in the spoken word of the person being interviewed belongs to that individual. The investigators will seek the consent of the interviewee to have their words recorded digitally and/or in interview transcripts. Where the interviewee consents, the copyright for the recordings and transcripts, together will all other data and metadata generated by this project, rests with the investigators and their institutions.

Responsibilities

The PI will have the final responsibility for all data management, metadata production, data quality issues and the final delivery of data for sharing and archiving. However, as outlined above, all project team members will be involved in metadata production, and all will have access to and will store project data on their computers. In addition, during the fieldwork, data quality will be ensured by the two investigators conducting the interviews.

Preparation of Data for Sharing and Archiving

As noted above, the data and metadata generated by this project will be shared with the ESDS, except where interviewees have withheld consent for data sharing. In addition, as outlined above, some data will be shared on the project website. To prepare data for sharing, as outlined above, the data will be documented from the start of the project, it will be effectively managed and stored, and consent will be secured for data sharing from project participants. The ESDS will be contacted at the start of the project to inform them of the data sharing preparations and obtain guidance on whether further steps are necessary. Within three months of completing the project, the investigators will contact ESDS and complete a Data Review Form, as stipulated in the ESRC guidance on Managing and Sharing Data. Following the outcome of the ESDS’s decision, the available data will then be submitted to ESDS.